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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE WEINSTEIN COMPANY, LLC,

Plaintiff,

v.

SMOKEWOOD ENTERTAINMENT GROUP
LLC,

Defendant.

09-CV-1972 (NRB)

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NOTICE OF APPEAL

Notice is hereby given that the Plaintiff in the above named case hereby appeals to the United States Court of Appeals for the Second District from an order granting Defendant's motion to dismiss, granted on September 25, 2009.

Dated: October 23, 2009

Respectfully submitted,



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